



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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Ref: EPR-N

JUL 16 2009

Kris Rutledge  
Ashley National Forest  
366 North Vernal Avenue  
Vernal UT 84078

Subject: Motorized Travel Plan Draft Environmental Impact Statement  
Ashley National Forest, Duchesne, Daggett, Uintah Counties, Utah  
Sweetwater County, Wyoming (CEQ# 20090113)

Dear Kris Rutledge:

The U.S. Environmental Protection Agency (EPA) has reviewed the above-referenced document pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act. Our detailed comments are enclosed.

EPA commends the Forest Service for its efforts to address the many challenges inherent in developing a balanced Public Motorized Travel Management Plan that responds to recreational and resource management demands. We acknowledge that the Travel Management Plan process is a positive step in addressing resource impacts from motorized uses. The permanent prohibition of cross country travel off designated routes and the switch from unmanaged to managed motorized recreational use will likely result in significant environmental benefits.

We have rated the Draft Environmental Impact Statement (DEIS) as Environmental Concerns – Adequate Information (EC-1) (see enclosed "*Summary of Rating Definitions*") due to our concerns regarding the scope of the travel management planning process, and the designation of various routes associated with existing significant soil and water resource impairment. Although the use of aerial photography for this analysis is adequate, more information to be gathered during implementation would also be useful to refine seasonal closures, focus areas for enhanced monitoring, and understand enforcement commitments.

EPA is aware of the decision by the Intermountain Region of the Forest Service to limit the scope of the travel management planning process to prohibition of motorized vehicle travel off designated routes, addition of unauthorized roads and trails to the National Forest

Transportation System (NFTS) so they may be designated for motor vehicle use, and changes in vehicle class and season of use. The rationale for the limited scope of this process is schedule constraints and limited funding and resources.

We acknowledge the constraints of funding and resources; nevertheless, we had hoped the Forest Service would take this opportunity to review and rationalize the NFTS, pursuant to Travel Management Rule direction to identify the minimum road system needed (36 CFR Part 212 Subpart A); to address known road-related resource impairments and use conflicts of both the existing NFTS and unauthorized user-created system; and to align the transportation system with maintenance and enforcement capabilities.

Route designations are only part of what is needed to reduce the ongoing adverse impacts to water quality and other resources from the NFTS. We continue to believe a more holistic approach to travel management planning, whereby route designations are guided by travel analysis, known locations of resource impairment, and prior determination of the minimum road system needed, would better serve the long-term interests of the public, Forest Service, and National Forest resources.

We appreciate the opportunity to participate in the review of this project, and look forward to resolving these matters prior to the issuance of the Final EIS (FEIS). If we may provide further explanation of our concerns during this stage of your planning process, please contact me at 303-312-6004, or James Hanley of my staff at 303 312-6725.

Sincerely,

A handwritten signature in dark ink, appearing to read "Larry Svoboda (for)".

Larry Svoboda  
Director, NEPA Program  
Ecosystems Protection and Remediation

Enclosures:  
Detailed Comments  
Summary of Rating Definitions



EPA DETAILED DEIS COMMENTS ASHLEY NATIONAL FOREST MOTORIZED TRAVEL PLAN,  
DUCHESNE, DAGGETT, UINTAH COUNTIES, UTAH AND SWEETWATER COUNTY, WYOMING  
APRIL 2009

**Scope of the Alternatives Analysis**

***Provide information on the minimum Forest road system needed and how this information was used to formulate the alternatives.*** The scope of this action includes prohibition of motorized vehicle travel off designated routes, the addition of unauthorized user-created roads and trails to the National Forest Transportation System (NFTS) so they may be designated for motor vehicle use, and changes to vehicle class and season of use. The draft environmental impact statement (DEIS) also states that non-system routes not included in this proposal are not precluded from future consideration for addition to the NFTS and inclusion on the Motor Vehicle Use Map (MVUM) (p. 1-8). We believe a holistic approach to travel management planning, whereby route designations are guided by travel analysis, known locations of resource impairment, and prior determination of the minimum road system needed, would best serve the long-term interests of the public, Forest Service, and National Forest resources.

***Recommendations:***

The final environmental impact statement (FEIS) should describe the information that was used to formulate the motorized travel management alternatives, and the relationship of that information to the requirement to identify the minimum road system needed for safe and efficient travel and administration of National Forest System lands (36 CFR Part 212 Subpart A, Section 212.5(b)). The FEIS should describe how the minimum road system needed will be identified pursuant to the requirements of the Travel Management Rule (36 CFR Part 212 Subpart A).

The FEIS should describe the factors that would be used in the consideration of future additions of unauthorized routes. We recommend that such factors include travel analysis and identification of the minimum road system needed. (p. 2-33)

***Expand the scope of the action to include current roads and trails with known impacts.*** The Forest maintains about 100 miles or 9% of the Forest's system trails (motorized and nonmotorized) and about 400 miles or 30% of improved and unimproved roads to standard each year. (p. 3-16) EPA is concerned with the Forest Service's ability to adequately address known road-related resource impairments, given the acknowledged lack of maintenance funds and this proposal to add to the NFTS additional miles of roads and trails known to contribute to soil and water resource impairment.

***Recommendation:***

We recommend the Forest expand the scope of this action to consider, for seasonal or permanent closure to public motorized use, current NFTS roads and trails with known resource impacts.

**Monitoring and Evaluation**

***Develop, describe, and implement a Travel Management Plan Monitoring and Evaluation Strategy.*** It is important that wildlife protection, vegetation management, and erosion control goals be achieved to minimize the potential adverse effects of the Motorized Travel Management Plan. We believe the public and decision makers would benefit if a strategy is developed that includes specific information on funding, monitoring and evaluation criteria, thresholds, and priorities.



***Recommendations:***

We recommend development of a detailed Travel Management Plan Monitoring and Evaluation Strategy, beyond the proposed project design features provided in Appendix B. Such a Strategy should include specific information on the monitoring and evaluation program priorities, focus areas (e.g., issues, specific locations), personnel needs, costs, and funding sources. We recommend the FEIS demonstrate that the proposed monitoring and evaluation strategy is adequate to assure that motorized vehicle use will not violate access restrictions or exacerbate already identified road-related resource problems. We recommend the Monitoring and Evaluation Strategy be periodically updated (e.g., annually or biennially).

***Identify mitigation measures required prior to use. Exclude routes on the Motor Vehicle Use Map not yet open for use due to mitigation measure implementation delays.*** The DEIS does not appear to describe mitigation measures that may be required prior to approved public motorized use. Such measures may include drainage improvements, barriers, and fencing to address the increased risk to sensitive resources such as wetlands, wet meadows, and increased erosion and sedimentation. Given the substantial level of deferred road maintenance, EPA is concerned with the Forest Service's ability to quickly implement identified mitigation measures and the potential for continued un-authorized motorized use of these designated routes.

***Recommendation:***

We recommend the FEIS include a list of mitigation measures required for implementation prior to opening the specific route to public motorized use. The FEIS should state whether the Motor Vehicle Use Map (MVUM) would include the designated routes that are not yet available for use due to required mitigation measures. If these routes will be included on the MVUM, describe how use would be restricted until identified mitigation measures are implemented. If these routes are not included on the MVUM, described how and when the Forest would open and designate these routes for use. We recommend routes not yet open due to required mitigation measure be excluded from the MVUM in order to reduce the unintentional un-authorized use of these routes.

**Climate Change**

A number of studies have indicated the potential for significant environmental impacts as a result of changing temperatures and precipitation. Climate change effects and the need to adapt to climate change are emerging issues which should be considered in this action. According to the Government Accountability Office (GAO) report entitled, "Climate Change: Agencies Should Develop Guidance for Addressing the Effects on Federal Land and Water Resources" (August 2007), federal land and water resources are vulnerable to a wide range of effects from climate change, some of which are already occurring. Roads and their use contribute to species stress through habitat fragmentation, increased disturbance, introduction of competing invasive species, and increased fire risk; which may further exacerbate species' ability to adapt to the changing climate.

***Recommendations:***

The FEIS should include a discussion of climate change and its potential effects on the Forest as they relate to the route designation decision and final National Forest

transportation system. Of specific interest are potential cumulative effects of climate change and the NFTS on the connectivity of wildlife and threatened and endangered species habitat, air quality, water quality, fire management, invasive species management, and road maintenance.

We recommend the discussion include a short summary of applicable climate change studies, including their findings on potential environmental effects and their recommendations for climate change adaptation and mitigation measures.

### **Full Disclosure and Procedural Comments**

***Commit to route-specific environmental analysis for user-created route additions.*** On some National Forest System lands, repeated use by motor vehicle travel has resulted in unplanned motorized trails un-authorized for motorized use. These trails were generally developed without environmental analysis or public involvement and may be poorly located and cause unacceptable impacts (p. 3-1). EPA is concerned with the addition of un-authorized user-created trails to the NFTS which may not have undergone site-specific environmental analysis or public involvement.

#### ***Recommendation:***

The FEIS should state how the Forest will ensure specific user-created routes are adequately evaluated pursuant to NEPA requirements. Where prior site-specific environmental analysis has not occurred, we recommend the FEIS specify the manner and criteria by which specific user-created routes would be analyzed prior to the route's addition to the NFTS or its designation for public motorized use.

***Conduct field surveys of Sensitive and Watch List plant species on proposed routes with a high likelihood of their presence.*** DEIS states that site-specific evaluations need to be made for clustered ladies slipper, stemless beardtongue, low greenthread, and Untermann daisy when specific proposals are made for changes in travel management. Thus, the current status of these populations is unknown. Nevertheless, the analysis for this action is based on a biological evaluation with no field surveys for these rare plants conducted along proposed route additions (p. 3-158).

#### ***Recommendations:***

We recommend field surveys of proposed routes where there is a high likelihood of rare species. For example, consider re-visiting the historically mapped species sites within 100 feet of proposed routes of threatened species. Information obtained from these field surveys should be included in the FEIS.

***Describe existing wildlife corridors, habitat integrity, and potential effects on wildlife movement and habitat fragmentation.*** The DEIS does not appear to describe or address the presence or absence of wildlife corridors, habitat integrity, nor the effect of the proposed action on habitat fragmentation or wildlife movement. Roads are known to lead to habitat fragmentation and the disruption of migratory corridors, resulting in significant adverse wildlife effects.



***Recommendations:***

The FEIS should include a discussion and analysis of wildlife corridors and the effect of the proposed action on habitat connectivity, habitat integrity, and migration corridors. Include a description of current conditions in regard to habitat fragmentation, existing wildlife corridors, and the relationship to wildlife habitat located on adjoining properties.

**Minor editorial comments**

Page 1-12: An incomplete list of some issues not analyzed in depth is also discussed in §1.11.2. It is important to keep this list of issues in the FEIS and avoid referring interested readers to the project record to find information about their issue of interest.

Page 1-13: It appears that introduction of Recreation Issue 5 (Enforcement) has been left out of this summary description of issues and indicators.

Page 2-8: Consider the information presented in the website for the “Colorado Rare Plant Conservation Initiative” when designing mitigation measures for rare plants.  
<http://conserveonline.org/workspaces/corareplantinitiative>

Page 2-8: Add a list of acronyms to the FEIS. The Lynx Conservation Assessment and Strategy (LCAS) and the Northern Rockies Lynx Management ROD (NRLMD) are not well known outside the conservation community. There may be other acronyms used in the DEIS that could do with some definition or fully spelling-out when first used.

Table 2.5.2: “Changes to the Recreation Opportunity Spectrum (ROS)” were not included in the comparisons of effects across all alternatives under Recreation Issue 1. Also under Recreation Issue 4 (Costs to program management), the FEIS should clarify that these costs are annually-occurring costs. If possible, some quantitative estimate for Alternative D should be attempted as a full-disclosure comparison with the other action alternatives. Also beginning on pg. 2.42 the column heading titles are not aligned with the data. Also the indicator “Acres of open travel in potential wilderness areas” has not been carried through into this summary comparison of effects table under the Issue: **Potential Wilderness Areas.**

Page 3-1: It would be useful to disclose some of the data from surveys of OHV participation on the Ashley National Forest as presented in *Off-Highway Vehicle Use on National Forests: Volume and Characteristics of Visitors, Special Report to the National OHV Implementation Team*, 5 August 2004. That report shows small numbers for visitation and visitation rates for OHV users of the Forest. Can the FEIS present better data that supports the DEIS statement that regional OHV-based recreation trends indicate demand will grow?

Page 3-11: The FEIS should contain a citation to the report prepared by the Institute for Outdoor Recreation and Tourism at Utah State University. (p. 3-17)



# U.S. Environmental Protection Agency Rating System for Draft Environmental Impact Statements

## Definitions and Follow-Up Action\*

### Environmental Impact of the Action

**LO -- Lack of Objections:** The Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

**EC -- Environmental Concerns:** The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

**EO -- Environmental Objections:** The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

**EU -- Environmentally Unsatisfactory:** The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

### Adequacy of the Impact Statement

**Category 1 -- Adequate:** EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

**Category 2 -- Insufficient Information:** The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

**Category 3 -- Inadequate:** EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

\* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.